

1. ACTION REQUESTED/PURPOSE: Authorize Chairman to execute a County Deed for the purpose of correcting an erroneous Tax Deed and restoring title to the proper owner.

2. FUNDING SOURCE: N/A

3. WHAT ACTION ACCOMPLISHES: Corrects erroneous Tax Deed and restores title of property to proper owner.

4. MANAGEMENT RECOMMENDATION:

5. Departmental Category: C12B

6. Meeting Date: MAY 22 2007

7. Agenda:		8. Requirement/Purpose: (specify)		9. Request Initiated:	
<input checked="" type="checkbox"/>	Consent		Statute		Commissioner
	Administrative		Ordinance		Department
	Appeals		Admin. Code		County Attorney
	Public	<input checked="" type="checkbox"/>	Other	County Clerk	Division
	Walk-On		F.A.C. 12D-013.066(4)		Land Use
				By:	<i>[Signature]</i>
				Robert D. Spickerman Assistant County Attorney	

10. Background: The Clerk's Office has requested that the County issue a deed for the purpose of completing the process of restoring property title to the proper owner after the erroneous sale of tax deed for the property. Please see attached letter from the Clerk's Office.

Attachment: Letter from Clerk's Office and Proposed County Deed.

cc: Debbie Underwood, Delinquent Tax Officer

11. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
				<i>[Signature]</i>	Analyst	Risk	Grants	Mgr	
				<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	5-9-07

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

CO. ATTY.
FORWARDED TO:
City Admin
5/21/07 10:00 Am

RECEIVED BY
COUNTY ADMIN:
5/8 @ 10:30
COUNTY ADMIN
FORWARDED TO:
5/9/07
330

Memorandum

DATE: March 5, 2007

TO: **Tim Jones, County Attorney**

FROM: Debbie Underwood, Delinquent Tax Office Manager

Re: **Restoring Title of Property Due to Erroneous Tax Deed: 2004-003906**
Lehigh Acres, Unit 4, Block 36, PB 20 PG 24 Lot 9 OR 2266 PG 866
Strap#: 23-45-27-04-00036.0090

I have attached a County Deed for the purpose of restoring a title to property.

This property was scheduled and sold at a Tax Deed auction on December 17th, 2004 by the Lee County Clerk of Circuit Court. The property was sold to CKR Properties LLC in the amount of \$21,268.50.

This tax deed was declared void due to an agreement reached between the Clerk of Courts and CKR Properties, LLC in response to a Court Summons requesting the Clerk of Courts to set aside the tax deed.

I am releasing the County Deed to you for the attachment of the Blue Sheet required by BOCC. Once the Board has signed and approved please return the deed to me so that we can record the document restoring the property to the previous owner.

Charlie Green, Clerk



By Debbie Underwood
Deputy Clerk

This Instrument Prepared by:

Robert Spickerman
Lee County Attorney's Office
Post Office Box 398
Fort Myers, FL 33902-0398

STRAP No. 23-45-27-04-00036.0090
Tax Deed No. 2004-003906

THIS SPACE FOR RECORDING

COUNTY DEED
(Statutory)

THIS DEED, executed this 28th day of February, 2007, by **LEE COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA**, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398 GRANTOR, to Vanderbilt Development Group LLP, whose address is 1004 Collier Center Way #206, Naples, Florida, 34110 Grantee.

WITNESSETH: The GRANTOR, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by the GRANTEE, receipt whereof is hereby acknowledged, has granted, bargained and sold to the GRANTEE, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

Lehigh Acres Unit 4, Block 36, PB 20 PG 24 Lot 9 OR 2266 PG 866

The purpose of this deed is to restore title to the proper owner and thereby correct an erroneous tax deed, as provided in Rule 12D-13.066(4) of the Florida Administrative Code.

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and does not warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF the GRANTOR has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said Board, the day and year above.

(OFFICIAL SEAL)

ATTEST:

CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO LEGAL FORM:

Office of County Attorney